



Cheong 5-1

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Serial No.: 09/885,471

Group Art Unit: 1762

Filed: June 20, 2001

Title: MgB₂ Superconductors

10 Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SIR:

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DECLARATION UNDER 37 C.F.R. 1.132

I, John F. McCabe, state the following:

1. I am the attorney who drafted provisional U.S. patent application no. 60/275,067
20 (Herein, referred to as the '067 provisional patent application.).

2. On Friday, March 9, 2001, I met with Dr. Cheong in Murray Hill NJ, USA, to discuss the inventions that became the object of the '067 provisional patent application.

3. The '067 provisional application was filed on the Monday, March 12, 2001, i.e., on the Monday following my Friday meeting with Dr. Cheong.

25 4. Herein, I certify that all statements made of my own knowledge are true and that
all statements made on information and belief are believed to be true. I also understand that
willful false statements and the like are punishable by fine, imprisonment or both under 18
U.S.C. 1001 and that willful false statements and the like may jeopardize the validity of the
application-at-issue or any patent issuing thereon.

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Date: Feb. 23, 2004

John McCabe
John F. McCabe